

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:09cv368**

KRISTIN A. MESSINA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
MICHAEL ASTRUE,)	
Commissioner of Social Security)	
)	
Defendant.)	
_____)	

J U D G M E N T

For the reasons set forth in the Memorandum and Order filed herewith,

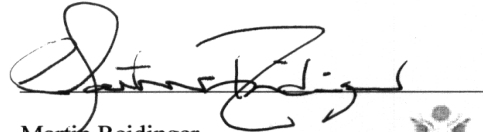
IT IS, THEREFORE, ORDERED that the Magistrate Judge's Memorandum & Recommendation is **ACCEPTED**, Plaintiff's Motion for Summary Judgment is **GRANTED**; the Defendant's Motion for Summary Judgment is **DENIED**.

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the decision of the Commissioner under Sentence Four of 42 U.S.C. § 405(g), the decision of the Commissioner is **REVERSED**, and this case is hereby **REMANDED** to the Commissioner for further administrative action consistent herewith and with the accompanying

Memorandum of Decision and Order.

IT IS SO ORDERED.

Signed: September 15, 2010

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
United States District Judge

